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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION**

EPIC GAMES, INC., <div style="text-align: right;"><i>Plaintiff,</i></div> <div style="text-align: center; margin: 10px 0;">v.</div> APPLE INC., <div style="text-align: right;"><i>Defendant.</i></div>	Case No. 4:20-cv-05640-YGR-TSH STIPULATION AND [PROPOSED] ORDER PERMITTING NON-PARTY DEPOSITION OF ADRIAN ONG OF MATCH GROUP, INC. AFTER THE NON-EXPERT DISCOVERY CUTOFF
APPLE INC., <div style="text-align: right;"><i>Counterclaimant,</i></div> <div style="text-align: center; margin: 10px 0;">v.</div> EPIC GAMES, INC., <div style="text-align: right;"><i>Counter-defendant.</i></div>	Hon. Yvonne Gonzalez Rogers

1 WHEREAS, on October 6, 2020, this Court ordered a February 15, 2021, Non-Expert
2 Discovery Cutoff in its Case Scheduling and Pretrial Order (the “Scheduling Order”) (Dkt. 116) in
3 *Epic Games, Inc. v. Apple Inc.*;

4 WHEREAS, Epic served a deposition subpoena to take the deposition of Adrian Ong of
5 Match Group, Inc.;

6 WHEREAS, Mr. Ong’s deposition was scheduled to occur on February 15, 2021, prior to the
7 Non-Expert Discovery Cutoff;

8 WHEREAS, Mr. Ong’s counsel has informed the parties that Mr. Ong would be unable to
9 proceed with his deposition on February 15, 2021 due to an unexpected family medical emergency
10 but expects Mr. Ong will be available on February 22, 2021;

11 WHEREAS, Epic would like Mr. Ong’s deposition to be permitted to occur after the Non-
12 Expert Discovery Cutoff and has scheduled the deposition for February 22, 2021, and Apple does not
13 oppose given the reason provided for the delay;

14 THEREFORE, IT IS HEREBY STIPULATED AND REQUESTED by the parties through
15 their respective counsel and pursuant to Civil L.R. 6-2 that Mr. Ong’s deposition may be taken up to
16 and including February 22, 2021 and may still be used at trial to the same extent as if it had been
17 taken within the fact discovery period without prejudice to any other objections any party may have.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: February 15, 2021

By: /s/ J. Wesley Earnhardt

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Dated: February 15, 2021

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PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, IT IS SO ORDERED.

DATED: _____

HON. YVONNE GONZALEZ ROGERS
United States District Judge

DECLARATION REGARDING CONCURRENCE

I, J. Wesley Earnhardt, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

Dated: February 15, 2021

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